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TOKELAU

Working paper prepared by the Secretariat

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I. INTRODUCTION

1. In July 1994, a United Nations visiting mission was dispatched to Tokelau at the invitation of the Government of New Zealand, which was conveyed in a letter dated 20 May 1993 from the Permanent Representative of New Zealand to the United Nations addressed to the Chairman of the Special Committee (A/AC.109/1162), and in conformity with the Special Committee's decision to accept that invitation (A/AC.109/PV.1417). The report of the United Nations Visiting Mission to Tokelau, 1994 (A/AC.109/2009) contains detailed information on political, economic and social conditions in the Territory, as well as on its future political status. The present working paper is an update of the working paper on Tokelau prepared by the Secretariat in 1994 (A/AC.109/1193).

II. GENERAL

2. Tokelau, a Non-Self-Governing Territory administered by New Zealand, consists of three small atolls in the South Pacific (Nukunonu, 4.7 square kilometres; Fakaofo, 4.0 square kilometres; and Atafu, 3.5 square kilometres) with a total land area of approximately 12.2 square kilometres. Nukunonu, the central atoll, is 92 kilometres from Atafu and 64 kilometres from Fakaofo. Western Samoa, 480 kilometres to the south, is the nearest sizeable neighbour.

3. Tokelauans are Polynesians with linguistic, family and cultural links with Western Samoa. According to the 1991 census, the total population of Tokelau was 1,577, a decrease of 113 compared with 1986. There were 543 inhabitants on Atafu, 437 on Nukunonu and 597 on Fakaofo. The constraints of atoll life and limited opportunities have led some 3,000 Tokelauans to settle abroad, particularly in New Zealand and Western Samoa.

III. CONSTITUTIONAL AND POLITICAL DEVELOPMENTS

A. Constitutional developments

4. Detailed information on the Tokelau Constitution as well as constitutional developments is contained in the previous working paper on Tokelau (A/AC.109/1193, paras. 3-26) and in the report of the Visiting Mission (A/AC.109/2009).

5. According to the administering Power, the constitution of a self-governing Tokelau is currently under consideration by the people of the Territory both as a matter of importance in itself and also as an aspect of self-determination in terms of the Charter of the United Nations. The related preparatory work has included the following events: a working visit by the Council of Faipule (joint Chairmen of the General Fono (Council)) to New Zealand (29 September-7 October 1994); a study tour by the Council of Faipule to Niue and Tuvalu (10-24 October 1994); meetings at Apia between the Administrator of Tokelau and the Council (October 1994); a visit to Tokelau by the Administrator

(2-8 November 1994) for meetings with the Council of Elders (Taupulega) on each atoll; and a meeting of the General Fono (24 November-26 November 1994). In his statements on the subject, the Administrator emphasized that Tokelau now had more flexibility and control over its constitutional agenda and that the close relations established between Tokelau and the administering Power would be maintained.

6. In November 1994, the General Fono decided, on the basis of the reports on constitutional developments submitted by the Council of Faipule, to establish a Special Committee on Constitutional Developments. At its first meeting, in April 1995, the Committee established the following terms of reference for its work: to consider the organization of the Government of Tokelau with a view to its future; to prepare proposals on a national governing body, a standing committee, the laws of Tokelau, the court system, the public service, the finance and audit system, land, human rights and all other constitutional matters; to discuss the proposals in each village; and to make recommendations to the General Fono. The first report of the Committee is to be submitted to the General Fono in June 1995.

7. During the period under review, the territorial Government organized a series of workshops on each atoll on the issue of constitutional developments.

B. Political developments

8. Detailed information on political developments in the Territory is contained in the previous working paper on Tokelau (A/AC.109/1193) and in the report of the Visiting Mission (A/AC.109/2009).

C. Public service

9. The Tokelau Public Service is composed of departments of administration and finance, health and environment, education, agriculture and fisheries, public works, transport and communications, and the Office of the Council of Faipule.

10. In December 1994, the New Zealand-based Tokelau Public Service Commissioner, together with his Tokelau counterpart, held a series of meetings to discuss the restructuring of the public service. As a result of those discussions, the Commissioners initiated a review of the efficiency and effectiveness of the Tokelau Public Service. The review was completed in March 1995 and a report on the outcome is expected to be presented to the General Fono in June 1995. The Commissioners emphasized the need for additional training programmes for the Tokelau Public Service.

IV. ECONOMIC CONDITIONS

11. Detailed information on economic conditions in the Territory is contained in the previous working paper on Tokelau (A/AC.109/1193) and in the report of the Visiting Mission (A/AC.109/2009).

12. In February 1995, at a meeting attended by representatives of Tokelau, New Zealand, the United Nations Development Programme (UNDP) and the International Telecommunication Union (ITU), a project document for the Tokelau telecommunications services was finalized. The objective of the project is to establish a reliable, efficient and sustainable telecommunications infrastructure based on satellite technology. The four project outputs are: three satellite earth stations and exchanges; adequate customer access networks on each atoll; a viable institutional structure comprising appropriately trained staff; and alternative strategies. The cost of the project is estimated at NZ$ 3.25 million. Capital costs are to be shared by New Zealand (NZ$ 1,109,000) and Tokelau (NZ$ 250,000). The technical assistance component is to be shared by UNDP (US$ 138,000), ITU (US$ 54,000) and Tokelau (NZ$ 150,000). The project is to be completed within 28 months.

V. SOCIAL AND EDUCATIONAL CONDITIONS

13. Detailed information on social and educational conditions in the Territory is contained in the previous working paper on Tokelau (A/AC.109/1193) and in the report of the Visiting Mission (A/AC.109/2009).

VI. FUTURE STATUS OF THE TERRITORY

A. Position of the administering Power

14. The Government of New Zealand is committed to assisting Tokelau to attain a greater degree of self-government and economic self-sufficiency. The New Zealand Government has regularly reminded the representatives of Tokelau of the desirability of continued progress towards self-government. It is the stated intention of the administering Power to be guided by the wishes of the Tokelauan people.

B. Position of the people of Tokelau

15. The issue of self-determination is now under active consideration by the people of Tokelau, who have expressed a strong preference for a status of free association with New Zealand (A/AC.109/2009, para. 106).

VII. ACTION BY THE GENERAL ASSEMBLY

16. On 9 December 1994, the General Assembly adopted without a vote resolution 49/47, entitled "Question of Tokelau". In that resolution, the General Assembly reaffirmed the inalienable right of the people of Tokelau to self-determination and independence in accordance with General Assembly resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960. It expressed its deep appreciation to the Ulu-o-Tokelau (highest authority of Tokelau), the Elders of Tokelau, the Council of Faipule, the pulueku (village mayors) and all other representatives of the people of Tokelau, as well as the administering Power, for the courtesies, cooperation and assistance extended to the Visiting Mission.

The Assembly took note of the solemn declaration read by the Ulu-o-Tokelau, on behalf of the people and their leadership, indicating a strong preference for a future status of free association with New Zealand. It noted that the people of Tokelau, through the General Fono, the Council of Faipule and other institutions, had expressed their readiness to assume full governmental responsibility and to conduct their own affairs within the framework of a constitution which was currently being drafted. It also noted the determination of the people of Tokelau to exercise their right to self-determination following the establishment and effective functioning of all branches of government in accordance with their own constitution. The Assembly welcomed the assurances of the Government of New Zealand to meet its obligations to the United Nations with respect to Tokelau and to abide by the freely expressed wishes of the people of Tokelau with regard to their future status. It approved the report of the Visiting Mission and requested the Special Committee to continue to examine the question and to report to the General Assembly at its fiftieth session.

Notes

1/ The information contained in the present paper has been derived largely from information transmitted to the Secretary-General by the Government of New Zealand under Article 73 e of the Charter of the United Nations in April 1995.